

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 4:00-CR-23
vs.)	
)	JUDGE MATTICE
DARREN LUJAN)	

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned for an initial appearance on August 4, 2011 and a detention hearing on August 9, 2011, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision of U.S. Probation Officer Doug Corn and the Warrant for Arrest issued by U.S. District Judge Harry S. Mattice, Jr. Those present for the hearing included:

- (1) AUSA Annie Svolto for the USA.
- (2) The defendant DARREN LUJAN.
- (3) Attorneys Paul Cross and Howell Clements for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

AUSA Svolto called USPO Doug Corn as a witness and moved that the defendant be detained pending a hearing to determine whether his term of supervision should be revoked. The defense called Narcotics Investigator Nick Watson as a witness.

Findings

- (1) Based upon USPO Corn's testimony, the undersigned finds there is probable cause to believe defendant has committed violations of his conditions of supervised release as alleged or set forth in the Petition.
- (2) The defendant has not carried his burden under Rule 32.1(a)(c) of the Federal Rules of Criminal Procedure, that if released on bail he will not flee or will not pose a danger to the community.

Conclusions

It is ORDERED:

(1) The motion of AUSA Svolto that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Mattice is GRANTED.

(2) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Mattice on **Friday, August 26, 2011, at 9:00 am.**

ENTER.

s/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE